

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

FILED

APR 27 2023

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

BEVERLY WIGGINTON,

Plaintff,

vs.

Case No: 3:23-cv-50030

Honorable Iain D Johnson

Honorable Lisa A Jensen

WALLACE, et. al.

Defendants,

PLAINTIFF'S MOTION FOR LEAVE TO FILE A FIRST
AMENDED COMPLAINT

Plaintiff Beverly Wigginton, being pro se moves this Honorable Court to allow her to file an amended complaint, pursuant to F.R.C.P. 15. In support, Plaintiff states the following:

1. On April 20, 2023 this Honorable Court conducted an initial hearing. At the conclusion the Court ordered a proposed case management scheduling being prepared, agreed and filed by April 28, 2023.
2. Plaintiff along with Defendants attorney conducted a telephonic conference on April 26, 2023.
3. Upon this Plaintiff notified and informed counsel (Perez) that the answer to the complaint had not been properly served upon her. In response

attorney Perez provided service at that time via e mail, a copy of the answer.

4. Plaintiff being in possession of answer Plaintiff now seeks leave and permission of the Honorable Court to file said Amended Complaint.

5. Upon review of Defendant answer, Plaintiff has learned of facts that impact her claims against Defendant and wishes to amend the complaint to account for these facts.

6. This Honorable Court has issued an order for the parties to file a proposed case management. An initial conference was held on 4/26/2023.

7. Plaintiff notified Defense attorney Perez that she would be filing leave to amend complaint. Thus suggested the dates in the case management order be so reflective.

8. Upon attorney Perez's request, notwithstanding Plaintiffs attempt to complete the order with corresponding dates, and upon knowledge relayed to attorney Perez of intent to seek leave of the Court to amend complaint, attorney Perez requested filing a stipulated agreement with the Court to extend the time to file case management order. Plaintiff conceded to such stipulation.

9. Plaintiff thus files this Motion for leave to Amend, and request permission of this Honorable Court that Plaintiffs Amended Complaint be filed no later than June 19, 2023.

10. Upon Plaintiff's Amended Complaint Defendant's be given until August 3, 2023 to file answer.

11. Upon Defendant answer to Plaintiff's complaint, Plaintiff be given until August 24, 2023 for any answer thereof to defendants affirmative defenses or otherwise.

12. Upon this Court granting Plaintiff's leave to Amend and stipulating the

corresponding date herein, Plaintiff seeks an order of the Court to proceed with the proposed case management order with said dates.

13. Permitting this amendment prejudices no party and is in the interest of justice. Thus leave should be freely granted.

WHEREFORE, Plaintiff prays this Honorable Court grant her motion to file a First Amended Complaint.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Beverly Wigginton". The signature is written in dark ink and is positioned above the printed name.

Beverly Wigginton

Pro Se

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Cherry Valley, Illinois 61016

309-716-5622

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2023 I filed the foregoing Motion for Leave to File a First Amended Complaint with the Clerk of Court, and sent notice of such filing to all parties.



Beverly Wigginton

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